

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

IN RE OPTICAL DISK DRIVE PRODUCTS  
ANTITRUST

Case No. 3:10-md-2143 RS (JCS)

**DECLARATION OF CHRIS  
WHIPPS REGARDING ORDER RE  
PLAN OF DISTRIBUTION  
[ECF NO. 3080]**

This Document Relates to:  
ALL INDIRECT PURCHASER ACTIONS

I, Chris Whipps, declare as follows:

1. I am employed as CEO of Sipree, Inc., d/b/a DigitalPay, which serves as one of the Court-appointed Administrators of the Settlements. As the CEO of DigitalPay, I oversee the administrative and executive services provided in this matter. I make this declaration pursuant to this Court's March 14, 2022, Order re Plan of Distribution (ECF No. 3080). I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

2. The following is a summary of invoices submitted and paid for services provided between the period of 8/9/16 and 11/29/18:

08/09/2016	Inv. 205	Implementation	\$157,500.00
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- Initial SaaS platform, customer support (CS) and program setup
- Web management infrastructure
- Digital notice strategy and campaign development
- Email communications development
- Content development
- Billing #1 of 3 over life of program

11/01/2016	Inv. 220	Monthly Service Fee	\$25,000.00
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- Monthly platform, client services and support
- Claims management console, reporting, management dashboard
- Technical support for users (digital) with 48-hour SLA
- Data management, handling and hygiene of claims
- Monthly database infrastructure

12/01/2016	Inv. 226	Monthly Service Fee	\$25,000.00
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- Monthly platform, client services and support
- Claims management console, reporting, management dashboard
- Technical support for users (digital) with 48-hour SLA
- Data management, handling and hygiene of claims
- Monthly database infrastructure

02/01/2017	Inv. 237	Monthly Service Fee	\$25,000.00
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- Monthly platform, client services and support
- Claims management console, reporting, management dashboard
- Technical support for users (digital) with 48-hour SLA
- Data management, handling and hygiene of claims

- Monthly database infrastructure

03/01/2017      Inv. 240                      Monthly Service Fee                      \$25,000.00

- Monthly platform, client services and support
- Claims management console, reporting, management dashboard
- Technical support for users (digital) with 48-hour SLA
- Data management, handling and hygiene of claims
- Monthly database infrastructure

04/01/2017      Inv. 245                      Monthly Service Fee                      \$25,000.00

- Monthly platform, client services and support
- Claims management console, reporting, management dashboard
- Technical support for users (digital) with 48-hour SLA
- Data management, handling and hygiene of claims
- Monthly database infrastructure

05/01/2017      Inv. 249                      Monthly Service Fee                      \$25,000.00

- Monthly platform, client services and support
- Claims management console, reporting, management dashboard
- Technical support for users (digital) with 48-hour SLA
- Data management, handling and hygiene of claims
- Monthly database infrastructure

06/01/2017      Inv. 252                      Monthly Service Fee                      \$25,000.00

- Monthly platform, client services and support
- Claims management console, reporting, management dashboard
- Technical support for users (digital) with 48-hour SLA
- Data management, handling and hygiene of claims
- Monthly database infrastructure

06/23/2017      Inv. 255                      Marketing Services                      \$300,000.00

- Digital media planning and ad buying
- Media costs
- Digital ad creation
- Response analytics and optimization
- Ad placement and management
- Social media management
- Updates and edits to existing ODD website

07/01/2017      Inv. 258                      Monthly Service Fee                      \$25,000.00

- Monthly platform, client services and support
- Claims management console, reporting, management dashboard

- Technical support for users (digital) with 48-hour SLA
- Data management, handling and hygiene of claims
- Monthly database infrastructure

08/22/2017      Inv. 262                      Marketing Services                      \$450,000.00

- Case website; SEO/SEM-enabled + brand ID + claims submission
- Case documentation hosting and management
- Digital ads / social media /SEO-SEM / PR to drive claims submission
- Targeted radio and TV to drive claims submission
- Direct email campaigns to drive claims submission
- Media management and media purchasing
- Media costs
- Incremental 3 months of current 9-month monthly service/support

08/23/2017      Inv. 264                      Implementation                      \$183,750.00

- SaaS platform, customer support (CS) and program setup
- Web management infrastructure
- Digital notice strategy and campaign development
- Email communications development
- Content development
- Billing #2 of 3 over life of program

11/29/2018      Inv. 347                      Monthly Service Fee                      \$8,539.91

- Management and responding to claimant inquiries
- Website transition

11/29/2018      Inv. 347                      Monthly Service Fee                      \$26,295.02

- Additional case administration claimant response, CS and management
- Billed in arrears for timeframe of Aug 2017-Nov 2018
- Monthly platform, client services and support
- Claims management console, reporting, management dashboard
- Technical support for users (digital) with 48-hour SLA
- Data management, handling and hygiene of claims
- Monthly database infrastructure

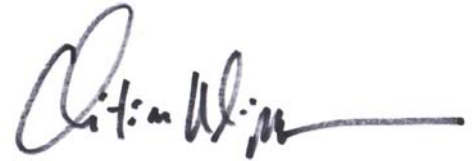
Total Invoiced (and paid):                      \$1,326,084.93

3. The following is a summary of services still to be provided to final program administration and deliver digital payments to an estimated population of 460,283 claimants who are to receive less than \$10,000 (the maximum amount allowable for a digital payment):

- Declarations and court updates through end of program
- All accounting, reporting and financial account management for digital payments
- Participation in overall settlement fund accounting and final pro-rata calculation prior to final redistribution
- Email deliverability analysis on final claimant file from Epiq
- New payment/claim creation: Payments will be created using bulk entry via file upload
- Payment management: Maintain status, state of all payment emails, delivery, action and completion of payments for reporting and final pro-rata redistribution to claimants who took funds in Initial Payment Offering
- Approval flow: all payments automatically approved upon creation
- Claimant communications: Via email to initiate and complete payment and/or the claims process via DigitalPay payment networks; all emails to come from the program case domain
- Qualified Settlement Fund (“QSF”) Account Access: DigitalPay will be a named & authorized user of this account. Provisioning and management of QSF account will be coordinated with HBSS.
- Tax Reporting: N/A
- Currencies: USD
- Language: English
- Training: provided for Epiq CS Team users, including user setup and access rights to the DigitalPay Payment Portal®
- Reporting: Self-service reporting functionality to export transactions based on key parameters
- Interface: Web based portal to DigitalPay platform for case reporting, accounting, payment status workflow and executive dashboard
- Duration: Payment cycle of 35 days total, including warm-up email, initial notification, reminder notices (4 total).
- Outstanding/Unaccepted Payments: payments not accepted after 4 reminder notices will be cancelled.

**Service Cost:** Flat fee of \$200,000.00. No other transaction or service charges will be incurred (unless a change in scope occurs).

1 I declare under penalty of perjury under the laws of the United States of America that the  
2 foregoing is true and correct. Executed this 24<sup>th</sup> day of March 2022, in San Francisco, California.  
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A handwritten signature in black ink, appearing to read "Chris Whipps", with a long horizontal line extending to the right.

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CHRIS WHIPPS